



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: MANDLER=1

In re Application of:)	Art Unit: 2165
)	
Benjamin MANDLER)	Examiner: S. G. RIMELL
)	
Appln. No.: 09/929,260)	Washington, D.C.
)	
Date Filed: August 15, 2001)	Confirmation No.: 9743
)	
For: USE OF SPECIAL DIRECTORIES)	May 23, 2005
FOR ENCODING SEMANTIC)	
INFORMATION IN A FILE SYSTEM)	

**REPLY: REQUEST FOR RECONSIDERATION;
SUBMISSION OF DECLARATION UNDER 37 CFR 1.132**

Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to an Official Action dated February 23, 2005, Applicant respectfully submits the following remarks.

This application contains claims 67-69, 76-81 and 88-90. Claims 1-66 were withdrawn without prejudice to Applicant's rights in response to a restriction requirement. The pending claims were rejected or objected to in the Official Action of February 23, 2005. Reconsideration is respectfully requested.

Claims 67, 68, 76-80 and 88-90 were rejected under 35 U.S.C. 102(e) as anticipated by Mandler et al (U.S. Patent Application Publication US 2001/0049675). Specifically, the Examiner held that the subject matter of these claims was disclosed in Fig. 8 and in claims 19, 20, 22 and 23 of Mandler et al.

Applicant respectfully traverses this rejection under MPEP 715.01(c), on the grounds that Benjamin Mandler was a co-author of the cited publication. Accordingly, Applicant respectfully submits that the subject matter disclosed in Fig. 8 and in claims 19, 20, 22 and 23 of Mandler et al was invented by Benjamin Mandler, who is among the inventors in the present patent application. A declaration to this effect by Benjamin Mandler under 37 C.F.R. 1.132 is submitted herewith. Claims 67, 68, 76-80 and 88-90 are therefore patentable over Mandler et al, which is not "prior art" under the present circumstances.

Claims 69 and 81 were objected to for depending from rejected base claims. For the reasons stated above, however, the base claims (67 and 79) are patentable, and therefore this objection should be withdrawn.

The prior art documents made of record and not relied upon have been noted along with the implication that


Appln. No. 09/929,260
Amdt. dated May 23, 2005
Reply to Office Action of February 23, 2005

such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Applicant believes the remarks presented hereinabove to be fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these remarks, and the attached Declaration, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Norman J. Latker
Registration No. 19,963

NJL:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\C\colb\Mandler1\PTO\Response 23May05.doc